



# Ordinary Council Meeting Minutes

**Date: 21 May 2014**

**Please Note: These minutes and the decisions recorded therein have not as yet been confirmed by Council as a true and accurate record of the meeting.**

## **The Shire of Moora Vision and Mission Statement**

### **Vision**

Our vision is that:

*Shire of Moora - a vibrant, affordable Regional Centre with a growing, caring community.*

### **Mission**

Our mission is:

*To provide the leadership, services and infrastructure that will meet the needs of the community and surrounds.*

**SHIRE OF MOORA**  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS, MOORA**  
**21 MAY 2014**

**TABLE OF CONTENTS**

<b>1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....</b>	<b>3</b>
<b>1.1 DECLARATION OF OPENING.....</b>	<b>3</b>
<b>1.2 DISCLAIMER READING .....</b>	<b>3</b>
<b>2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....</b>	<b>3</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>3</b>
<b>4. PUBLIC QUESTION TIME .....</b>	<b>3</b>
<b>5. PETITIONS AND PRESENTATIONS.....</b>	<b>3</b>
<b>6. APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>4</b>
<b>7. ANNOUNCEMENTS BY THE PRESIDING MEMBER.....</b>	<b>4</b>
<b>8. CONFIRMATION OF MINUTES .....</b>	<b>4</b>
<b>8.1 ORDINARY COUNCIL MEETING - 16 APRIL 2014 .....</b>	<b>4</b>
<b>9. REPORTS OF OFFICERS.....</b>	<b>4</b>
<b>9.1 CORPORATE SERVICES.....</b>	<b>4</b>
9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31 .....	4
9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 APRIL 2014.....	6
9.1.3 DEVELOPMENT ASSESSMENT PANELS (DAPs) .....	7
9.1.4 DELEGATIONS REGISTER .....	9
<b>9.2 DEVELOPMENT SERVICES .....</b>	<b>11</b>
9.2.1 BERYL CHAPMAN – HOME OCCUPATION MULTIMEDIA CREATIONS.....	11
9.2.2 WESTWAYS WILDFLOWERS – NATURE BASED CAMPING PARK.....	13
9.2.3 LOT 155/ HN 133 MELBOURNE STREET – PETER WASS SHED CONSTRUCTION.....	17
<b>9.3 ENGINEERING SERVICES.....</b>	<b>18</b>
<b>10. REPORTS OF COMMITTEES .....</b>	<b>18</b>
<b>GENERAL PURPOSE COMMITTEE MEETING - 7 MAY 2014 .....</b>	<b>18</b>
10.1 FOOTPATH POLICY .....	18
<b>11. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>18</b>

**12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL ..... 18**

**13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED ..... 19**

    13.1    LOT 39 PADBURY STREET, MOORA W.A 6510 – OWNER HE & LE MICKAN – OFFER TO PURCHASE ..... 19

**14. CLOSURE OF MEETING ..... 19**

- \* Separate Attachments
  - 9.1.1 *List of Payments Authorised Under Delegation 1.31*
  - 9.1.2 *Statement of Financial Activity for Period Ended 30 April 2014*
  - 9.1.4 *Draft Delegations Register*
  - 9.2.1 *Plan of Property*
  - 9.2.2 *Plans*
  - 9.2.3 *Plans*

**I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS****I.1 DECLARATION OF OPENING**

*The Shire President declared the meeting open at 5.30pm.*

**I.2 DISCLAIMER READING**

*No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.*

*It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.*

**2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE****ATTENDANCE**

CE Gardiner	-	Shire President / Presiding Member
TG Humphry	-	Deputy President
CD Hawkins	-	Councillor
DV Clydesdale-Gebert	-	Councillor
MR Pond	-	Councillor
KM Seymour	-	Councillor
AJ Leeson	-	Chief Executive Officer
DK Trevaskis	-	Deputy Chief Executive Officer
JL Greay	-	Manager Engineering Services
PR Williams	-	Manager Development Services
MM Murray	-	Executive Support Officer (Minute taker)

**PUBLIC**

Cynthia McMorran	-	Shire Freeman (from 5.34pm)
------------------	---	-----------------------------

**APOLOGIES**

R Keamy	-	Councillor
JW McLagan	-	Councillor
MR Holliday	-	Councillor

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4. PUBLIC QUESTION TIME**

Nil

**5. PETITIONS AND PRESENTATIONS**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Attended the following;

26<sup>th</sup> April Honorary dinner for retired Dalwallinu Councillors Bill Dinnie and Graham Sanderson in Dalwallinu

28<sup>th</sup> April Wheatbelt North Moora Subgroup teleconference - Main Roads

1<sup>st</sup> May Rotary dinner speech/presentation

21<sup>st</sup> May Bestowment of Mr Andrea (Andy) Moltoni by the Italian Consul awarding him the "Ordine Della Stella d'Italia" (Order of the Star of Italy).

Cr Pond

2<sup>nd</sup> May Attended the Avon-Midland Zone meeting in Bindoon

Cr Seymour

Has been invited to attend the Parliamentary Inquiry hearing by the Economic Regulation Authority by the Wheatbelt Railway Retention Alliance at Bruce Rock on the 27<sup>th</sup> May 2014.

Cr Humphry

21 May Bestowment of Mr Andrea 'Andy' Moltoni by the Italian Consul awarding him the "Ordine Della Stella d'Italia" (Order of the Star of Italy).

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 16 APRIL 2014****COUNCIL RESOLUTION**

*53/14 Moved Cr Hawkins, seconded Cr Pond that the Minutes of the Ordinary Meeting of Council held on 16 April 2014 be confirmed as a true and correct record of the meeting.*

**CARRIED 6/0**

**9. REPORTS OF OFFICERS****9.1 CORPORATE SERVICES****9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

**REPORT DATE:** 14 May 2014

**OFFICER DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** Alida Fitzpatrick, Finance Officer

**ATTACHMENTS:** Accounts Paid Under Delegated Authority

**PURPOSE OF REPORT**

Payments have been made under delegated authority and a listing of these payments is attached for Council to note and endorse.

**BACKGROUND**

At the December 2005 Ordinary Meeting of Council resolution 276/2005 delegated the authority of payments from Municipal and Trust Funds to the Chief Executive Officer.

**COMMENT**

Accounts Paid under delegated authority are periodically presented to Council.

**POLICY REQUIREMENTS**

Delegation 1.31 – Payments from Municipal and Trust Funds.

**LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995 - Section 6.10

Local Government (Financial Management) Regulations 1996 – Regulations 12 & 13.

**STRATEGIC IMPLICATIONS**

There are no known strategic implications associated with this proposal.

**SUSTAINABILITY IMPLICATIONS**➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

**FINANCIAL IMPLICATIONS**

Payments are in accordance with the adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

**54/14 Moved Cr Hawkins, seconded Cr Clydesdale-Gebert that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31**

<b>Municipal Fund</b>	<b>Cheques 61705 to 61733</b>	<b>\$108,286.34</b>
	<b>EFT 11654 to 11780</b>	<b>\$194,544.10</b>
	<b>Credit Card 17/03/14 to 14/04/14</b>	<b>\$7,416.07</b>
	<b>Net Pays – PPE 08/04/14</b>	<b>\$81,201.41</b>
	<b>Net Pays – PPE 22/04/14</b>	<b>\$74,379.74</b>
<b>Trust Fund</b>	<b>Cheques 4973 to 4974</b>	<b>\$800.00</b>
<b>Total</b>		<b><u>\$ 466,627.66</u></b>

**CARRIED 6/0**

## **9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 APRIL 2014**

**REPORT DATE:** 14 May 2014

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** David Trevaskis, Deputy Chief Executive Officer

**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 30 April 2014

### **PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 30 April 2014.

### **BACKGROUND:**

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

### **COMMENT:**

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format.

### **POLICY REQUIREMENTS:**

Nil

### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

### **STRATEGIC IMPLICATIONS:**

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

### **SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
There are no known significant economic implications associated with this proposal.
- **Social**  
There are no known significant social implications associated with this proposal.

### **FINANCIAL IMPLICATIONS:**

Year to date income and expenditure is provided by program to enable comparison to 2013/14 adopted budget.

### **VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

**55/14 Moved Cr Humphry, seconded Cr Hawkins that Council notes and receives the Statement of Financial Activity for the period ended 30 April 2014.**

**CARRIED 6/0**

**9.1.3 DEVELOPMENT ASSESSMENT PANELS (DAPs)**

**FILE REFERENCE:** TP/TPSI

**REPORT DATE:** 6 May 2014

**APPLICANT/PROPONENT:** N/A

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 18/5/11(52/11)

**AUTHOR:** Alan Leeson, Chief Executive Officer

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

To inform Councillors of the implementation of the Development Assessment Panels (DAPs) and elect two Councillors to be nominated as DAPs members.

**BACKGROUND:**

The introduction of Development Assessment Panels (DAPs) by way of the Approvals and Related Reforms (No.4) (Planning) Act 2010 occurred on 2 May 2011. Fifteen new DAPs commenced operation from 1 July 2011. DAPs are responsible for the determination of all development applications greater than \$7 million in value and may optionally determine applications between \$3 million and \$7 million in value and any other category of application delegated to the DAP by a local government. Membership includes two local government representatives with two alternative representatives to attend in lieu as required. Members are appointed for a two year term, are eligible to be reappointed and are subject to the normal local government criteria for disqualification from office.

Local Government DAP members will be required to undergo training organised by the DAP Secretariat, with provision of an allowance of \$400 paid upon completion. Members will be eligible for a fee of \$400 per DAP meeting, \$400 for attendance at any proceeding in the State Administrative Tribunal and \$100 for any determination in regard to an amendment or cancellation of an already approved application. Travel expenses associated with DAP functions will be reimbursed. It is recommended that Council nominate Councillors as the Shire's representatives to the relevant Development Assessment Panel.

DAPs were introduced by the State Government as part of a raft of amendments to legislation governing the planning system which in essence seeks to improve its performance and outcomes.

DAPs comprise of a mix of technical experts (3 specialist members) and two local government representatives and are charged with determining all development applications in excess of \$7 million in value and optionally (at the election of the applicant) those applications between \$3 million and \$7 million in value. Once the DAP Regulations were gazetted the Minister for Planning established 15 different DAPs across the state, the majority of which comprise groupings of multiple local government authorities. Moora is grouped into the Wheatbelt JDAP, Joint Development Assessment Panel. The frequency of



DAP meetings vary as to the volume of trigger applications received and the DAPs commenced operation on 1 July 2011.

Nominated local government representatives are required to undergo training organised by the DAP Secretariat with provision of an allowance of \$400 paid upon completion. Members are appointed for a two year term, are eligible to be reappointed and are subject to the normal local government criteria for disqualification from office. Members will receive a \$400 fee for each DAP meeting attended and \$100 for the determination of an amendment or cancellation of an existing approved application.

Members will be required to attend proceedings in the State Administrative Tribunal with respect to determination of applications made by the DAP and are eligible for a fee of \$400 for such attendance. DAP meetings, as with SAT attendances, are conducted during normal weekday business hours. Travel expenses associated with DAP functions will be reimbursed.

The Department of Planning also advised that if, within the 2 year term, a local DAP member is not re-elected, they cannot hold the position of local DAP member. Local government elections may result in a change to local DAP membership if current councillors, who are DAP members, are not re-elected. In this instance, the deputy local DAP members will take the place of the former local DAP members. If both local and alternate (deputy) local members are not re-elected, the local government will need to renominate and the Minister to reappoint.

**COMMENT:**

In the event that there are more than two nominations for each of the above positions, it is recommended that a secret ballot be held to determine the Council representatives.

**POLICY REQUIREMENTS:**

There are no policy implications relative to this issue

**LEGISLATIVE REQUIREMENTS:**

Planning and Development Act 2005 and Planning and Development (Development Assessment Panel) Regulations 2011

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

**SUSTAINABILITY IMPLICATIONS:**

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

**FINANCIAL IMPLICATIONS:**

Fees for members as detailed above.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

**56/14 Moved Cr Pond, seconded Cr Seymour that Council nominate Councillors Clydesdale-Gebert as the Shire's local government representatives to the Development Assessment Panel, with Councillor Gardiner being the Proxy Representative.**

**CARRIED 6/0****9.1.4 DELEGATIONS REGISTER****FILE REFERENCE:** PL/DELI**REPORT DATE:** 15 May 2014**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** Nil**AUTHOR:** Alan Leeson, Chief Executive Officer**ATTACHMENTS:** Draft Delegations Register**PURPOSE OF REPORT:**

To allow Elected Members the opportunity to review as required by the Local Government Act 1995 Section 5.46(2) the various delegations made to the Chief Executive Officer.

**BACKGROUND:**

The Shire of Moora has delegated certain powers and duties to the Chief Executive Officer.

The Local Government Act 1995 Section 5.46 requires that a register of delegations be kept and that those delegations made must be reviewed at least once every financial year by the delegator (Council).

**COMMENT:**

The Shire of Moora Register of Delegations has been reviewed and updated to reflect the change of management positions along with the following:

Section 13 Purchase Order Authorisation: Addition of Deputy Chief Executive Officer and removal of Manager Finance & Corporate Services and Manager Community & Economic Development as being an authorised purchasing officer.

Section 10 Enforcements and Legal Proceedings: Addition of the Cat Act 2011.

Inclusion of the list of Delegations to the Deputy Chief Executive Officer and Manager of Building Services.

**FINANCIAL IMPLICATIONS:**

There are no financial implications to Council in relation to this item.

**POLICY REQUIREMENTS:**

Included in Delegation where appropriate.

**LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995 Section 5.46

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

There are no known significant environmental implications associated with this proposal.

**➤ Economic**

There are no known significant economic implications associated with this proposal.

**➤ Social**

There are no known significant social implications associated with this proposal.

**VOTING REQUIREMENTS**

Absolute Majority Required

**COUNCIL RESOLUTION**

**57/14 Moved Cr Humphry, seconded Cr Clydesdale-Gebert that Council, having reviewed its Delegations as required by the Local Government Act 1995**

***1. Endorse the following as having been reviewed:***

- 1. Payments from trust and municipal funds***
- 2. Investments***
- 3. Hire Fees and Charges – Recreation Centre***
- 4. Rate book***
- 5. Budget implementation***
- 6. Rent/ Leasing or Residential Property Owned By the Shire of Moora***
- 7. Liquor – Sale and Consumption at Recreation Centre***
- 8. Impounding goods – authorised employee***
- 9. Onus of Proof in Vehicle Offences***
- 10. Enforcements and Legal Proceedings***
- 11. Delegation of Power***
- 12. Proceedings under Dog Act***
- 13. Purchase order authorisation***
- 14. Budget expenditure***
- 15. Register of Delegations to Committees***
- 16. Donations of Works to Organisations***
- 17. Private Works***
- 18. Temporary Rural Road Closures***
- 19. Powers of Entry onto Land***
- 20. Approval of Planning Applications***
- 21. Works unlawful***
- 22. Building Licences***
- 23. Private Swimming Pools – Inspections***
- 24. Health Act – Notices and Orders***
- 25. Treatment of Sewerage and Disposal of Liquid Waste***

## ***Delegation to Committees/Working Parties***

### **2. Further noting the amendments in the delegations register as attached.**

**CARRIED BY ABSOLUTE MAJORITY                      6/0**

## **9.2 DEVELOPMENT SERVICES**

### **9.2.1 BERYL CHAPMAN – HOME OCCUPATION MULTIMEDIA CREATIONS**

**FILE REFERENCE:** TP/PA27/1314

**REPORT DATE:** 12 May 2014

**APPLICANT/PROPONENT:** Beryl Chapman

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plan of Property

#### **PURPOSE OF REPORT:**

Proponent Mrs Beryl Chapman of 42 Kintore Street, Moora wishes to make application to Council to have a Home Occupation at her premise located at 42 Kintore Street, Moora. Her business is multimedia creations which includes copying video to DVD, analogue creation to digital, and DVD creation of photos, video creations.

#### **BACKGROUND:**

The proponent lives at 42 Kintore Street which is in the Residential Zone as prescribed in the Shire of Moora Town Planning Scheme No 4. The proponent advises that the proposed business does not need customers to come to her home as most of the necessary information can be exchanged over the internet or via Post Exchange. Mrs Chapman the proponent advises that should her customers need to come to her premises then her office hours will be Monday to Friday 08:00am to 16:00pm. A Home Occupation classification has a "D" Classification under the Zoning Table of the Shire Town Planning Scheme - "D" means that the use is not permitted unless the local government has exercised its discretion by granting approval. Definition of Home Occupation:- **"Home Occupation"** means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- a.) does not employ any person not a member of the occupier's household;
- b.) will not cause injury to or adversely affect the amenity of the neighbourhood;
- c.) does not occupy an area greater than 20m<sup>2</sup>;
- d.) does not display a sign exceeding 0.2m<sup>2</sup>;
- e.) does not involve the retail sale, display or hire of goods of any nature;
- f.) in relation to vehicles and parking:
  - i.) does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volumes in the neighbourhood;
  - ii.) does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight; and
  - iii.) does not include provision for the fuelling, repair or maintenance of motor vehicles.

**COMMENT:**

This business does not pose any problems to the neighbours as all the work is carried out on a computer and over the internet and it is advised that few customers will be visiting the property

**POLICY REQUIREMENTS:**

Policy for Home Occupation and Home Business is under consideration.

**LEGISLATIVE REQUIREMENTS:**

There are no legislative requirements

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

There are no known significant environmental implications associated with this proposal.

**➤ Economic**

There are no known significant economic implications associated with this proposal.

**➤ Social**

There are no known significant social implications associated with this proposal.

**FINANCIAL IMPLICATIONS:**

There are no financial implications to Council in relation to this item.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

***58/14 Moved Cr Hawkins, seconded Cr Pond that Council approve the application for a Home Occupation operated by Beryl Chapman of 42 Kintore Street Moora to operate a Multimedia creations business from her home at 42 Kintore Street subject to:***

- ***Complying with business hours Monday to Friday 08:00am to 16:00pm;***
- ***Payment of Annual Fee of \$73.00 (subject to Change by Local Government Planning Fees);***
- ***Business shall not disrupt residential amenity of area.***

**CARRIED 6/0**

## **9.2.2 WESTWAYS WILDFLOWERS – NATURE BASED CAMPING PARK**

**FILE REFERENCE:** TP/PA28/1314

**REPORT DATE:** 13 May 2014

**APPLICANT/PROPONENT:** Clive Tonkin

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plans

### **PURPOSE OF REPORT:**

Proponent Clive Tonkin has made application to Council for approval to establish a Nature Based Camping Ground on their property located at Lot 2187 Prices Road Coomberdale.

The proponents have an area on their property where they have a circuit through wildflower country that incorporates a lake and some very attractive countryside which they wish to make available to the tourists.

### **BACKGROUND:**

The Caravan Park and Camping Grounds Act and Regulations were previously under the control of the Health Act but have since been adopted by the Department of Local Government as being more appropriate as they are more aligned with the Local Government Act.

Lot 2187 Prices Road is located in the General Agriculture Zone of which the objectives are: Objectives

- (a) to ensure the continuation of broad-hectare farming as the principal land use in the district and encouraging where appropriate the retention and expansion of agricultural activities.
- (b) to consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.
- (c) to allow for facilities for tourists and travellers, and for recreation uses.

### **3.15.2 Site Requirements:**

The following minimum building setbacks shall apply:

Front: 20.0m

Rear: 15.0m

Side: 15.0m

A Nature Based Park is a use not defined in the Town Planning Scheme and requires Council Approval for a number of reasons.

1. A Nature Based Park requires approval from the Shire to be licensed under the Caravan Park & Camping Grounds Act 1995 and Regulations 1997.
2. A Nature Based Park is currently a set of guidelines put out by the Department of Local Government that have been recognised but not gazetted.
3. The Proponents are required by Section 31 of the Caravan Parks and Camping Grounds Act 1995 to seek by way of a letter to the Minister for Local Government requesting exemption from Section 49 of the Caravan Parks and Camping Grounds Regulations 1997 which states that a Transit Park or Nature Based Park is not permitted to be established within 50 kilometres of another Caravan Park, that being the Moora Caravan Park.

The proponent also requires approval from Council for them to proceed with the letter to the Minister.

*When assessing a request for a Nature Based Park the proponent will be required to put forward a Management Plan for the Park.*

The Management Plan submitted by the operator will be the main planning document for the operator and the one a local government uses to assess the application, and to license and regulate the park. The Management Plan will require the operator to provide essential details on how the proposed nature based park is managed and the type of facilities being provided.

Some of the matters that the Management Plan nature based needs to address include:

- (a) Market segment being targeted;
- (b) Infrastructure to be provided (in light of the market);
- (c) If a full range of infrastructure is not to be provided, how potential customers will be informed;
- (d) Environmental impact and sustainability;
- (e) Waste management;
- (f) Traffic management;
- (g) Risk management;
- (h) The number of sites proposed; and
- (i) The proposed maximum capacity of the facility.

It is intended that a flexible approach be taken when assessing the Management Plan, with a focus on the intended market segment for the park and type of facilities required, balanced with environmental sustainability.

When assessing this information, the local government should have primary regard to the sustainability of the site and the environmental impact of the proposed facility. The provision of infrastructure (toilets, showers, water etc.) should be aligned to the market segment targeted. It should take into account the feasibility of providing basic services and the environmental impact.

The local government should consider that nature based parks are meant to be low cost, small-scaled tourist accommodation when requesting further information from the operator.

The local government can impose conditions on the licence to reduce environmental impact including, but not limited to, restricting the length of stay and the number of sites.

More information on the content of a Management Plan is included below.

Under the Regulations, a nature based park means a facility offering short-stay holiday accommodation in a non-urban area and which is in a natural setting.

**COMMENT:**

This type of development could be seen to be beneficial to the Shire and the surrounding businesses should they decide to network and work in with each other. The proponents are currently looking at a tour bus from Perth visiting and possibly linking in with the Woodshed Café for either morning and afternoon teas and/or lunch.

It will be necessary for the proponents to put forward a management plan detailing number of camp sites and what services will be proposed to be offered to the public. Discussions with the proponents so far have alluded to limited services being provided due to the out of the way nature of the proposed location. So far there is a long drop toilet and a wooden table provided in a location surrounded by trees. The access road is sandy and accessible to 4 wheel drive vehicles, so only certain vehicles with 4 wheel drive capability can access this facility.

From an environmental perspective it is important not to over crowd this wildflower park and have it degraded by litter and toilet paper.

The toilet facility would need to be serviced regularly; rubbish collected regularly, signage provided to customers with accessible phone numbers. Signage advising customers that potable water is limited to what patrons take with them and this needs to be advertised widely on all advertising material, likewise to the limited services available to the campers.

This service would only be available during the wildflower season as fires would not be able to be lit after 31<sup>st</sup> October and certain years it would need to be looked at depending on the season.

#### **POLICY REQUIREMENTS:**

There is no Policy requirements related to this item

#### **LEGISLATIVE REQUIREMENTS:**

Caravan Parks and Camping Ground Act 1995 and the Caravan Parks and Camping Grounds Regulations 1997, Nature Based Parks Guidelines.

#### **STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

There are no known significant environmental implications associated with this proposal.

##### ➤ **Economic**

There are no known significant economic implications associated with this proposal.

##### ➤ **Social**

There are no known significant social implications associated with this proposal.

#### **FINANCIAL IMPLICATIONS:**

There are no financial implications to Council in relation to this item.

#### **VOTING REQUIREMENTS**

Simple Majority Required



**COUNCIL RESOLUTION**

**59/14 Moved Cr Hawkins, seconded Cr Humphry that Council grant in principle approval to Clive Tonkin to have a Nature Based Park at their property located at Lot 2187 Prices Road Coomberdale subject to the Following Conditions:**

- **Provision of a Management Plan as described in the Nature Based Park Guidelines which includes:**
  1. **Market segment being targeted;**
  2. **Infrastructure to be provided (in light of the market);**
  3. **If a full range of infrastructure is not to be provided, how potential customers will be informed; copy of advertising to be provided**
  4. **Environmental impact and sustainability;**
  5. **Waste management;**
  6. **Traffic management;**
  7. **Risk management;**
  8. **The number of sites proposed; and**
  9. **The proposed maximum capacity of the facility.**
  10. **Dates of operation of the camp.**
- **Approval by the Minister of Local Government to exempt the proponent from Section 49 of the Caravan Parks and Camping Grounds Regulations 1995;**
- **A plan of the area where the camping is to be provided showing identified camp sites and number of sites;**
- **Copy of plan that will be given to patrons showing details and location of the camp, phone number to be accessed in case of emergency and advice to patrons that limited resources are available at the site; and**
- **A copy of web advertising that possible patrons will make their decisions on whether to stay at the Park.**

**CARRIED 6/0**

### **9.2.3 LOT155/ HN 133 MELBOURNE STREET – PETER WASS SHED CONSTRUCTION**

**FILE REFERENCE:** TP/PA29/1314

**REPORT DATE:** 14 May 2014

**APPLICANT/PROPONENT:** Action Sheds

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plans

#### **PURPOSE OF REPORT:**

Action Sheds on behalf of the proponent Mr Peter Wass request Council permission to construct an oversized steel framed shed with dimensions of 12.0m x 9.0m x 3.5m on their property at 155 Melbourne Street, Moora.

#### **BACKGROUND:**

Lot 155/HN 133 is located in the Residential Zone in Moora Township and has an R Code rating of R12.5. Shire of Moora Policy Manual Outbuilding Policy states R12.5 with an average 800m<sup>2</sup> block has a total outbuilding area of 100m<sup>2</sup>.

There are already a number of out buildings on the property and the square area of the proposed shed is 108m<sup>2</sup> so it is classed as an oversized shed according to the Shire Policy manual and over the 60m<sup>2</sup> as identified by the R Codes for this area which requires Council permission.

#### **COMMENT:**

The Shed is to be used for storage and has a mezzanine also for storage. There are no issues with the shed except that the Town Planning Scheme requires any sheds constructed in the Residential area to be colour bond and not galvanised steel as it reflects sunlight.

#### **POLICY REQUIREMENTS:**

Shire of Moora – Outbuilding Policy maximum Size of Outbuildings

#### **LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

#### **STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

There are no known significant environmental implications associated with this proposal.

##### ➤ **Economic**

There are no known significant economic implications associated with this proposal.

##### ➤ **Social**

There are no known significant social implications associated with this proposal.

**FINANCIAL IMPLICATIONS:**

There are no financial implications to Council in relation to this item.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

*60/14 Moved Cr Seymour, seconded Cr Pond that Council approve the application of Action Sheds acting on behalf of the proponent Peter Wass to construct an oversized 9.0m x 12.0m x 3.5m steel framed colour bond shed at the rear of Lot 155/Hn 133 Melbourne Street subject to the following conditions:-*

- *Shed is to meet the requirements of the Building Code of Australia and a Building Application is to be submitted to the Shire;*
- *Shed is to have the roof and walls covered in colour bond material as required by the Shire of Moora Town Planning Scheme;*
- *Shed not to be constructed over the septic tanks or leach drains.*

**CARRIED 6/0**

**9.3 ENGINEERING SERVICES**

Nil

**10. REPORTS OF COMMITTEES**

**GENERAL PURPOSE COMMITTEE MEETING - 7 MAY 2014**

**10.1 FOOTPATH POLICY**

Draft footpath policy was put forward to the Committee meeting for consideration.

**COUNCIL RESOLUTION**

*61/14 Moved Cr Hawkins, seconded Cr Seymour that Council adopt the formulation of a footpath policy with management placing an item to a future meeting of Council for consideration, to be presented to the June 18 Ordinary Meeting of Council 2014.*

**CARRIED 6/0**

**11. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**

Nil

**13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED****COUNCIL RESOLUTION**

**62/14 Moved Cr Hawkins, seconded Cr Clydesdale-Gebert that the meeting move behind closed doors to discuss item 13.1, 'Lot 39 Padbury Street, Moora W.A 6510 – Offer to Purchase' as it is a matter which relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and a matter if disclosed, would reveal information that has a commercial value to a person pursuant to Section 5.23(2)(c)& (e)(ii) of the Local Government Act 1995.**

At 6.05pm the public left and the meeting moved behind closed doors.

**13.1 LOT 39 PADBURY STREET, MOORA W.A 6510 – OWNER HE & LE MICKAN – OFFER TO PURCHASE**

Agenda item with Officer Report and recommendation provided to Council under separate cover.

**COUNCIL RESOLUTION**

**63/14 Moved Cr Hawkins, seconded Cr Humphry that Council adopt the officer's recommendation, with one amendment in relation to the maximum value of the approved offer to purchase, in accordance with the provisions of the Local Government Act 1995 Section 5.23 (2) (c) & (e) (ii).**

**CARRIED BY ABSOLUTE MAJORITY 5/1**

Subject to the outcome of contract negotiations, the minutes will reflect the resolution which is "commercial in confidence" at this juncture.

**REOPENING OF MEETING TO THE PUBLIC****COUNCIL RESOLUTION**

**64/14 Moved Cr Hawkins, seconded Cr Humphry that the meeting move out from behind closed doors and reopen to the public, at this juncture 6.14pm.**

**CARRIED 6/0**

**On reopening the meeting, there were no public present therefore the Shire President did not read aloud the decision made behind closed doors.**

**14. CLOSURE OF MEETING**

**There being no further business, the President declared the meeting closed at 6.15pm.**

**CONFIRMED**

**PRESIDING MEMBER**